

COUNTY OF YORK

MEMORANDUM

DATE: May 6, 2005 (BOS Mtg. 5/17/05)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Potential Zoning Ordinance Text Amendment

As you may recall, when the Special Use Permit application for the Holiday Chevrolet-Cadillac expansion was considered and approved, it was anticipated that the applicant might be successful in negotiating with the Virginia Department of Transportation for acquisition of a 20-foot wide strip of the right-of-way in front of the business. The applicant desired to do so in order to gain additional developable space and to deal with a setback issue associated with the existing business signage. VDOT has since informed the applicant that it is unwilling to dispose of any portion of the unused right-of-way (the distance between the current edge of pavement on Second Street and the right-of-way line/front property line is over 50 feet), desiring instead to retain ownership in the event it is ever needed for future road widening. Instead, VDOT has indicated to Mr. Hudgins that it is willing to continue to allow him to occupy the unused portion of the right-of-way for business purposes.

Given VDOT's position, Mr. Burgett requested that staff develop a potential text amendment that would assist this and other property owners whose parcels abut an unusually wide expanse of right-of-way that is not needed for the current roadway configuration or for programmed improvements. Attached proposed Resolution No. R05-104 contains draft language that, if added to the Zoning Ordinance, would provide special opportunities for signage and landscape yards for properties that are adjacent to wide, unused expanses of highway right-of-way. Adoption of the proposed resolution would initiate a formal text amendment application and forward it to the Planning Commission for review and public hearing.

Attachment

- Proposed Resolution No. R05-104